

REMARKS

Claims 1-7, 20, and 22-32 are now pending in the application. Claims 1, 20 and 27 have been amended. Claims 8-19 and 21 have been cancelled. The basis for the foregoing amendments may be found throughout the written description, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

EXAMINER INTERVIEW

Applicant thanks the Examiner for the courtesy extended during an Examiner interview on May 29, 2007. During the interview, the Applicant's attorney and the Examiner discussed the pending claims of record in view of the prior art. The Applicant's attorney discussed with the Examiner novel features provided in the instant invention over the art of record. Specifically, it was acknowledged that the features of previously presented claim 21 were not taught by the art of record. Specifically, the art of record did not show a first terminal end of the flexible member coupled to the retaining head and a second terminal end of the flexible member coupled to the anchor. Applicant has amended claim 1 to further clarify this limitation, amended claim 20 to include the limitation of dependent claim 21, and amended independent claim 27 to include the limitations of dependent claim 21. Because this limitation was already previously pending, Applicant maintains that the amendments herein will not necessitate a new search. No new matter has been entered.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-7 and 20-32 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Sikora et al. (U.S. Publication 2002/0019649) and further in view of Oberlander (U.S. Pat. No. 5,702,462). Claim 32 stands rejected as being unpatentable over Sikora et al. and Oberlander, as applied to Claim 30, and further in view of Richards et al. (U.S. Pat. No. 4,669,473). This rejection is respectfully traversed.

At the outset, Applicant notes that claims 1, 20, and 27 have been amended to specifically recite “wherein a first terminal end of said flexible member is coupled to said retaining head and a second terminal end of said flexible member is coupled to said anchor”. Applicant notes that the collective art of record does not teach such a feature.

Sikora teaches a method that requires one terminal end of the flexible member to be threaded back through the tear as a free end and not coupled to an anchor. Oberlander requires two distinct sutures 15a and 15b. The sutures 15a and 15b can be tied together to bring two sides of the tissue tear together. Richards shows a fastener 5 having an integral filament. Two equivalent fasteners 5 can be joined together at their filament sections such that the fasteners extend at a right angle to the lengths of filament. Therefore, Applicant respectfully requests withdrawal of the rejection.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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